

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SAMUEL WEBB,

Plaintiff,

Case No.: 1:06-cv-3

v.

HONORABLE PAUL L. MALONEY

PATRICIA CARUSO, et al.,

Defendants.

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**ORDER ADOPTING MAGISTRATE JUDGE'S**  
**REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by United States Magistrate Judge Ellen S. Carmody in this action (ECF No. 34). The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

**THEREFORE, IT IS ORDERED** that defendant Monica Stafford's motion for summary judgment (ECF No. 31) is **GRANTED IN PART AND DENIED IN PART** as detailed herein. Specifically, (1) Defendant's motion to dismiss Plaintiff's claims for failure to exhaust administrative remedies is **DENIED**; (2) Defendant's motion for qualified immunity is **DENIED**; (3) Defendant's motion for Eleventh Amendment immunity is **GRANTED** as to Plaintiff's claims for monetary relief and **DENIED** as to Plaintiff's claims for injunctive relief.

Dated: March 20, 2012

/s/ Paul L. Maloney

Paul L. Maloney

Chief United States District Judge